

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

| | | |
|-------------------------------------|---|-------------------------|
| JOHN MADDEN, | : | |
| Plaintiff, | : | |
| | : | |
| v. | : | No. 1:12-cv-00129 (jgm) |
| | : | |
| VERMONT PUBLIC SERVICE BOARD, | : | |
| JOHN D. BURKE, DAVID C. COEN, | : | |
| JAMES VOLZ, VERMONT SUPREME COURT, | : | |
| ASSOCIATE JUSTICE JOHN A. DOOLEY, | : | |
| CHIEF JUSTICE PAUL L. REIBER, | : | |
| JUDGE KUPERSMITH, | : | |
| ASSOCIATE JUSTICE BRIAN L. BURGESS, | : | |
| ASSOCIATE JUSTICE BETH ROBINSON, | : | |
| | : | |
| Defendants. | : | |
| _____ | : | |

ORDER DISMISSING COMPLAINT
(Doc. 1)

Pro se Plaintiff John Madden has filed a Complaint naming the Vermont Supreme Court and its justices as defendants. Madden has previously filed four federal complaints against Vermont courts, seeking federal review of state court actions, and each has been dismissed as barred by the Eleventh Amendment. In the fourth of these previously filed cases, Madden v. Vermont Environmental Court, et al., 1:04-cv-312-jgm, this Court, in addition to dismissing the suit on Eleventh Amendment grounds, further ordered that Madden must request leave of the Court before filing any further complaints against the courts of the State of Vermont. See Opinion and Order entered June 14, 2005 (Doc. 6) in 1:04-cv-312-jgm (listing Madden's three prior federal

complaints, dismissed as barred by the Eleventh Amendment, and affirmed by the Second Circuit).

In violation of this Court's June 14, 2005 Order in 1:04-cv-312, Mr. Madden has filed this suit, which names the Vermont Supreme Court and its justices, without seeking leave of the Court.

It is therefore ORDERED that the Complaint (Doc. 1) in this case is DISMISSED for failure to seek leave of the Court prior to filing. It is further ORDERED that if Madden attempts future filings naming Vermont courts without seeking leave of the Court, he will be subject to monetary sanctions.

Dated at Brattleboro, in the District of Vermont, this 18th day of July, 2012.

/s/ J. Garvan Murtha
Honorable J. Garvan Murtha
United States District Judge